



ADMINISTRATION AND
MANAGEMENT

OFFICE OF THE SECRETARY OF DEFENSE

1950 DEFENSE PENTAGON
WASHINGTON, DC 20301-1950

JAN 31 2013

MEMORANDUM FOR COMMITTEE MANAGEMENT SECRETARIAT GENERAL SERVICES ADMINISTRATION

SUBJECT: Committee Charter and Membership Balance Plan Consultation – *National Security Education Board*

The Department of Defense, pursuant to the Federal Advisory Committee Act of 1972, as amended, intends to renew the charter for the *National Security Education Board* (attached). The Board will operate under the provisions of the Federal Advisory Committee Act of 1972, the Government in the Sunshine Act, and governing federal regulations.

Prior to filing the Board's charter with the Library of Congress and the appropriate congressional committees the Department of Defense respectfully requests that the Committee Management Secretariat review and approve the proposed charter and Membership Balance Plan (attached). The proposed charter and Membership Balance Plan has been reviewed and approved by the Office of the General Counsel for the Department of Defense.

If you should have any questions about this charter or the Membership Balance Plan please contact my point of contact, Len O'Reilly, at 703-692-5952.

A handwritten signature in black ink, reading "James D. Freeman II", is positioned above the typed name.

James D. Freeman II
Advisory Committee Management
Officer for the Department of Defense

2 Attachments

1. Proposed Charter
2. Proposed Membership Balance Plan

Charter
National Security Education Board

1. Committee's Official Designation: The committee shall be known as the National Security Education Board ("the Board").
2. Authority: The Secretary of Defense, under the provision of section 1903 of title 50 United States Code (U.S.C.), the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 Code of Federal Regulations (C.F.R) § 102-3.50(a) (required by statute), established the Board.
3. Objectives and Scope of Activities: The Board shall provide the Secretary of Defense with independent advice and recommendations on developing the national capacity to educate U.S. citizens to understand foreign cultures, strengthen U.S. economic competitiveness, and enhance international cooperation and security as described in paragraphs 4 and 5 below.
4. Description of Duties: The Board, under the authority of 50 U.S.C. § 1903(d), performs, consistent with Chapter 37 of Title 50 U.S.C., the following functions:
 - a. Develop criteria for awarding scholarships, fellowships, and grants, including an order of priority in such awards that favors individuals expressing an interest in national security issues or pursuing a career in a national security position.
 - b. Provide for wide dissemination of information regarding the activities assisted under the statute.
 - c. Establish qualifications for students desiring scholarships or fellowships, and institutions of higher education desiring grants including, in the case of students desiring a scholarship or fellowship, a requirement that the student have a demonstrated commitment to the study of the discipline for which the scholarship or fellowship is to be awarded.
 - d. After taking into account the annual analyses of trends in language, international, area, and counter-proliferation studies under 50 U.S.C. § 1906 (b)(1), makes recommendations to the Secretary of Defense regarding:
 - i. Which countries are not emphasized in other U.S. study abroad programs, such as countries in which few U.S. students are studying and countries which are of importance to the national security interests of the United States and are, therefore, critical countries for the purposes of 50 U.S.C. § 1902 (a)(1)(A);
 - ii. Which areas within the disciplines described in 50 U.S.C. § 1902 (a)(1)(B), relating to the national security interests of the United States are areas of study in which U.S. students are deficient in learning and are, therefore, critical areas within those disciplines for the purposes of that section;

- iii. Which area within the disciplines described in 50 U.S.C. §1902 (a)(1)(C), are areas in which United States students, educators, and Government employees are deficient in learning and in which insubstantial numbers of U.S. institutions of higher education provide training and are, therefore, critical areas within those disciplines for the purposes of that section;
 - iv. How students desiring scholarships or fellowships can be encouraged to work for an agency or office of the Federal Government involved in national security affairs or national security policy upon completion of their education; and
 - v. Which foreign languages are critical to the national security interests of the United States for purposes of 50 U.S.C. §1902 (a)(1)(D) (relating to grants for the National Flagship Language Initiative) and 50 U.S.C. § 1902 (a)(1)(E) (relating to the scholarship program for advanced English language studies by heritage community citizens).
- e. Encourage application for fellowships from graduate students having an educational background in any academic discipline, particularly in the area of science or technology;
 - f. Provide the Secretary of Defense biennially with a list of scholarship recipients and fellowship recipients, including an assessment of their foreign area and language skills, who are available to work in a national security position;
 - g. Not later than 30 days after a scholarship or fellowship recipient completes the study or education for which assistance was provided under the program, provide the Secretary of Defense with a report fully describing the foreign area and language skills obtained by the recipient as a result of the assistance; and,
 - h. Review the administration of the National Security Scholarships, Fellowships, and Grants Program.
5. Agency or Official to Whom the Committee Reports: The Board shall report to the Secretary of Defense. The Secretary of Defense, pursuant to 50 U.S.C. § 1906, shall, in compliance with the deadlines set forth in 50 U.S.C. § 1906, submit to the President and to the congressional intelligence committees an annual report of the conduct of the National Security Scholarships, Fellowships and Grants Program, which contains, at a minimum, the contents outlined in 50 U.S.C. § 1906. In preparation of his annual report, the Secretary of Defense, pursuant to 50 U.S.C. § 1906(d), shall consult the Board members and include in his report all assessments received from the Board members. The assessment of each member of the Board, as a minimum, shall include an assessment of hiring needs in the areas of language and area studies, and a projection of the deficiencies in such areas. Thus, the Board's report shall contain, at a minimum, the contents outlined in 50 U.S.C. § 1906 and the topics covered by (4)(d) – (4)(h) above. The report shall also include each member's assessment of hiring needs in the areas of language and area studies, and a projection of the deficiencies in such areas.

6. Support: The Department of Defense (DoD), through the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), shall provide support as deemed necessary for the Board's performance, and shall ensure compliance with the requirement of FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b) ("the Sunshine Act"), governing Federal statutes and regulations, and established DoD policies and procedures.
7. Estimated Annual Operating Costs and Staff Years: The estimated annual operating cost, to include travel, meetings, and contract support, is approximately \$155,000.00. The estimated annual personnel cost to the DoD is 1.0 full-time equivalent.
8. Designated Federal Officer: The Board's Designated Federal Officer (DFO), pursuant to DoD policy, shall be a full-time or permanent part-time DoD employee, and shall be appointed in accordance with governing DoD policies and procedures.

The Board's DFO is required to be in attendance at all meetings of the Board and its subcommittees for the entire duration of each and every meeting. However, in the absence of the Board's DFO, a properly approved Alternate DFO, duly appointed to the Board according to DoD policies and procedures, shall attend the entire duration of all meetings of the Board and its subcommittees.

The DFO, or the Alternate DFO, shall call all meetings of the Board and its subcommittees; prepare and approve all meeting agendas; adjourn any meeting when the DFO or Alternate DFO determines adjournment to be in the public interest or required by governing regulations or DoD policies and procedures.

9. Estimated Number and Frequency of Meetings: The Board shall meet at the call of the Board's DFO, in consultation with the Board's Chairperson. The estimated number of meetings is three per year.
10. Duration: The need for this advisory function is on a continuing basis; however it is subject to renewal every two years.
11. Termination: The Board shall terminate upon rescission of 50 U.S.C. § 1903.
12. Membership and Designation: Under the provisions of 50 U.S.C § 1903(b), the Board shall be composed of 14 members:
 - a. The following individuals or the representatives of such individuals:
 - I. The Secretary of Defense, who shall serve as the Chairman of the Board.
 - II. The Secretary of Education.
 - III. The Secretary of State.
 - IV. The Secretary of Commerce.
 - V. The Secretary of Homeland Security.
 - VI. The Secretary of Energy.
 - VII. The Director of National Intelligence.

VIII. The Chairperson of the National Endowment for the Humanities.

- b. Six individuals appointed by the President, who shall be experts in the fields of international, language, area, and counter-proliferation studies education and who may not be officers or employees of the Federal Government.

Members of the Board appointed by the President shall be appointed for a period specified by the President at the time of their appointment, but not to exceed four years.

Consistent with 50 U.S.C. § 1903, the Secretary of Defense designates the USD(P&R) as the Chairperson of the Board. If the USD(P&R) is unavailable to chair a specific session of the Board, then the Assistant Secretary of Defense for Readiness and Force Management shall perform the functions of the Chairperson of the Board while the USD(P&R) is unavailable. The authority to chair the Board may not be further delegated.

Members of the Board who are not full-time or permanent part-time Federal employees shall be appointed as experts and consultants under the authority of 5 U.S.C. § 3109 and serve as special Government employee (SGE) members. Each member of the Board is appointed to provide advice on behalf of the Government on the basis of his or her best judgment without representing any particular point of view and in a manner that is free from conflict of interest.

Each member who is a member of the Armed Forces or a civilian officer or employee of the United States shall serve without compensation (other than compensation to which entitled as a members of the Armed Forces or an officer or employee of the United States, as the case may be). Pursuant to 50 U.S.C. 1903(c), individuals appointed by the President shall receive no compensation for service on the Board. All members of the Board shall receive per diem and travel for official travel relating to the Board.

13. Subcommittees: DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task groups, and working groups to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(P&R).

Such subcommittees shall not work independently of the Board, and shall report all of their recommendations and advice to the Board for full deliberation and discussion.

Subcommittees have no authority to make decisions and recommendations, verbally, or in writing, on behalf of the Board; nor can any subcommittee or its members update or report directly to the DoD or any Federal officers or employees.

The Secretary or the Deputy Secretary of Defense may approve the appointment of subcommittee members for one to four-year terms of service; however, no member, unless authorized by the Secretary, may serve more than two consecutive terms of service. These individuals may come from the parent committee or may be new nominees, as recommended by the USD(P&R) and based upon the subject matters under consideration.

Subcommittee members, if not full-time or part-time Government employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109, and shall serve as SGEs, whose appointments must be renewed by the Secretary of Defense on an annual basis. With the exception of travel and per diem for official travel related to the Board or its subcommittee, subcommittee members shall serve without compensation.

Each subcommittee member is appointed to provide advice on behalf of the Government on the basis of his or her best judgment without representing any particular point of view in a manner that is free from conflict of interest.

All subcommittees operate under the provisions of FACA, the Sunshine Act, governing Federal statutes and regulations, and governing DoD policies and procedures.

14. Recordkeeping: The records of the Board and its subcommittees shall be handled according to section 2, General Record Schedule 26 and appropriate DoD policies and procedures. These records shall be available for public inspection and copying, subject to the Freedom of Information Act of 1966 (5 U.S.C. § 552, as amended).

15. Filing Date:

Membership Balance Plan
National Security Education Board

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, under the provisions of title 50, United States Code (U.S.C.), the Federal Advisory Committee Act (FACA) of 1972, (5 U.S.C. Appendix, as amended) and 41 Code of Federal Regulations (CFR) § 102-3.50(a) (required by statute), established the National Security Education Board ("the Board").
2. Mission/Function: The Board, under the provisions of 50 U.S.C. § 1903 and FACA, shall provide the Secretary of Defense, independent advice and recommendations on developing the national capacity to educate U.S. citizens to understand foreign cultures, strengthen U.S. economic competitiveness, and enhance international cooperation and security.
3. Points of View: Under the provisions of 50 U.S.C. § 1903(b), the Board is made up of 12 members and shall be composed of the following individuals or the representatives of such individuals:
 - a. The Secretary of Defense, who shall serve as the Chairman of the Board.
 - b. The Secretary of Education.
 - c. The Secretary of State.
 - d. The Secretary of Commerce.
 - e. The Secretary of Homeland Security.
 - f. The Secretary of Energy.
 - g. The Director of National Intelligence.
 - h. The Chairperson of the National Endowment for the Humanities.
 - i. Six individuals appointed by the President, who shall be experts in the fields of international, language, area, and counter-proliferation studies education and who may not be officers or employees of the Federal Government.

Consistent with 50 U.S.C. § 1903, the Secretary of Defense designates the USD(P&R) as the Chairperson of the Board. If the USD(P&R) is unavailable to chair a specific session of the Board, then the Assistant Secretary of Defense for Readiness and Force Management shall perform the functions of the Chairperson of the Board while the USD(P&R) is unavailable. The authority to chair the Board may not be further delegated.

The Department of Defense (DoD) has found that viewing complex issues through a multi-disciplinary advisory committee provides DoD and, more importantly, the American public with a broader understanding on which to base subsequent policy decisions.

Each member, based upon his or her individual and professional experiences, provides his or her best judgment on the matters before the Board, and he or she does so without representing any particular point of view and in a manner that is free from conflict of interest. Members of the Board appointed by the President shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109 and to serve as special Government (SGE) members.

Membership Balance Plan
National Security Education Board

DoD, unless otherwise directed by an Act of Congress or Presidential directive, does not use representative members on DoD established or supported advisory committees.

4. Other Balance Factors: None
5. Candidate Identification Process: Members of the Board appointed by the President shall be appointed for a period specified by the President at the time of their appointment, but not to exceed four years. The President nominates new members who will balance the qualifications of current members, consistent with the David L. Boren National Security Act of 1991, as amended.

Following the President's appointments, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members.

Member vacancies on the Board will be filled in the same manner as described in the previous two paragraphs above.

6. Subcommittee Balance: DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task groups, or working groups to support the Board. Establishment of subcommittees will be based upon a written determination, to include terms of reference, by the Secretary of Defense, the Deputy Secretary of Defense, or the Board's sponsor.

These subcommittees shall not work independently of the chartered Board, and shall report all of their recommendations and advice solely to the Board for full deliberation and discussion. Subcommittees have no authority to make decisions and recommendations, verbally or in writing, on behalf of the chartered Board; nor can any subcommittee or its members update or report directly to the DoD or any Federal officers or employees.

The Secretary or the Deputy Secretary of Defense shall approve the appointment of subcommittee members for one-to-four year terms of service with annual renewals; however, no member, unless authorized by the Secretary, may serve more than two consecutive terms of service. Individuals considered for appointment to any subcommittee of the Board may come from the Board itself or new nominees, as recommended by the Board's sponsor and based upon the subject matter under consideration, but they must be approved by the Secretary or Deputy Secretary before participating in any subcommittee work.

DoD, in selecting potential candidates for the subcommittees, reviews the educational and professional credentials of individuals with extensive backgrounds in the areas of primary interest to the subcommittee. Potential candidates are identified by the Board's Designated Federal Officer (DFO) and the Board's professional staff, and in some instances, based upon discussions with other senior career and political officials within the Department.

Once potential candidates are identified, the DFO reviews the credentials of each individual and narrows the list of potential candidates. The list is then forwarded to the USD(P&R) for

Membership Balance Plan
National Security Education Board

further scrutiny in accordance with governing Federal statutes and regulations, and governing DoD policies and procedures.

The USD(P&R) strives to achieve a balance between the educational and professional credentials of the candidates and the issues addressed to each subcommittee.

The Department of Defense Office of General Counsel (DoD OGC) and the office of the Advisory Committee Management Officer review candidates to ensure compliance with Federal and DoD governance requirements, including compliance with the Board's charter and membership balance plan. Following this review, the USD(P&R) formally nominates candidates to the Secretary of Defense for approval. Pursuant to DoD policy, only the Secretary or the Deputy Secretary of Defense can invite or approve the appointment of individuals to subcommittees established or supported by the DoD.

The Secretary of Defense may approve the appointment of subcommittee members for one to four-year terms of service, with annual renewals of appointments; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. Subcommittee membership vacancies will be filled in the same manner as described in the previous six paragraphs above.

Following approval by the Secretary of Defense or Deputy Secretary of Defense, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members who are appointed as SGE members.

As required by the Board's charter, these subcommittees operate under the provisions of FACA, the Government in the Sunshine Act of 1976 (5 U.S.C. § 552b), governing Federal statutes and regulations, and governing DoD policies and procedures.

7. Other: The DoD adheres to the rules and regulations issued by the Office of Government Ethics and the Administration's prohibition against registered Federal lobbyists.
8. Prepared: